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Vol. 57, No. 11, March 20, 2007

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University of Michigan Law School, "Vol. 57, No. 11, March 20, 2007" (2007). *Res Gestae*. Paper 90.
http://repository.law.umich.edu/res_gestae/90

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Res Gestae

STUDENT NEWSPAPER OF THE UNIVERSITY OF MICHIGAN LAW SCHOOL

March 20, 2007

Since 1950

Vol. 57 No. 11

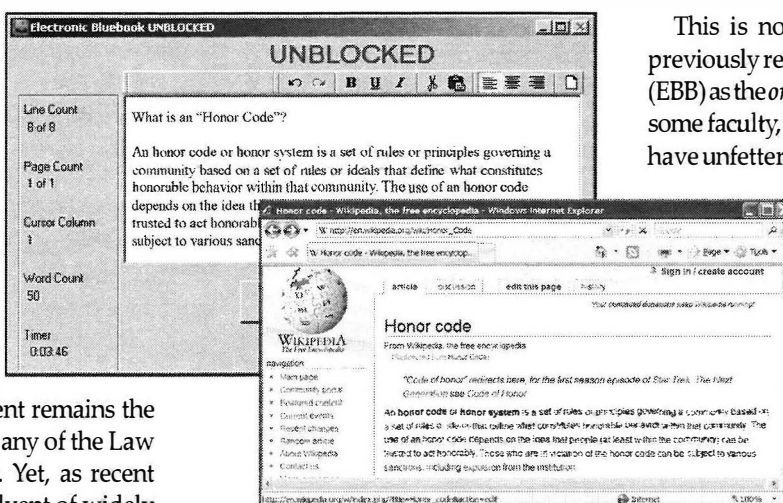
What's in an Honor Code? Exams Face Changes

By Adam Gitlin

The Law School has a set of "Rules of Conduct and Disciplinary Procedures," violation of which carries the risk of punishments ranging from censure to expulsion. Even so, the personal integrity of

each individual law student remains the primary incentive to obey any of the Law School's rules of conduct. Yet, as recent events have shown, the advent of widely available wireless internet access, as well as recent actions taken by the faculty and administration in response to what appear to be violations of the honor code, suggest that reliance on honor and good conscience may not suffice in all cases.

Until recently, when professors gave "unblocked" exams, the understanding was that students would be unable to access the Law School network during exams, and therefore would be unable to use the Internet during those times. But the IT Department has confirmed that lately other wireless internet signals are "bleeding" into the classrooms, a phenomenon difficult to monitor and impossible to control. The upshot, Associate Dean Kyle Logue explained, is that "it is not possible to have in-class unblocked exams without at least the possibility of at least some students having access to the Internet." Therefore, the administration has decided that in the



future, "unblocked" will mean that the exam-taker will have not only hard-drive access, but Internet access as well.

Dean Logue expects that once faculty are aware of this change, those who offer unblocked exams will have to rethink whether to trust students not to use the Internet during exams. "It probably means that fewer faculty will actually use the unblocked, in-class format." Some faculty, it appears, are apprehensive about the adequacy of the honor code.

This is not to say that faculty were previously relying on Electronic Bluebook (EBB) as the *only* means of enforcement. But some faculty, knowing that students could have unfettered use of the Internet during

unblocked exams if they are willing to disregard the honor code, "may decide that the temptation to access the Internet will be too great—or, even if no one actually accesses the Internet during exams, the likelihood that students will perceive that inappropriate Internet

access is taking place is too great—to justify the risk," Dean Logue said.

Is this lack of faith in the integrity of law students shared among our "peer" schools when it comes to wireless internet access during exams?

Duke Law School, which also uses EBB, hasn't had any problems related to bleeding yet, so perhaps the question is not quite ripe there. At the University

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MAR 22 2007



Res Gestae

Vol 57, No. 11
University of Michigan
Law School

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Res Gestae is published biweekly during the school year by students of the University of Michigan Law School. Opinions expressed in bylined articles are those of the authors and do not necessarily represent the opinions of the editorial staff. Articles with contact information in italics at the end of the article or "submitted by" in the byline are opinion pieces, not factual news stories, and the opinions contained therein are not necessarily reflective of the opinions of the editorial staff. Articles may be reprinted without permission, provided that the author and *Res Gestae* are credited and notified. *Res Gestae* welcomes submissions and letters to the editor. Submissions may be made via email, preferably as an MS Word attachment. Letters to the editor must be clearly and unambiguously marked "Letter to the Editor." *Res Gestae* reserves the right to edit all submissions and letters to the editor in the interest of space.

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Green Eggs and Pizza

**By Andrea Hunt,
With Apologies to Dr. Seuss**

*I am a student group leader.
I am a student group feeder.*

*I order pizza; their eyes fill with dread.
I ask the group what they want instead.*

*Would you eat BW3s?
Could we agree on this food please?*

*We'll be buried in wing sauce up to our
knees,
The vinegary smell makes half of us wheeze,
And wings don't exactly grow on trees,
There'll be no money for our trip to Belize.
Pardon us for being rude
But can't you pick some better food?*

*Would you eat Jimmy John's?
Could we reach accord and then move on?*

*We do not care for Jimmy John's.
Salami and alfalfa are better off gone;
And, frankly, mayo doesn't turn us on.
Let's pick food we won't want to pawn.
Pardon us for being rude
But can't you pick some better food?*

*Would you eat burritos instead?
Could we agree on this before we're dead?*

*We're all vegetarians, we said.
Chicken and beef we won't be fed.
We'll gag on green peppers or red
We'd really rather eat a sled.*

*Or drink from the jar in the shed.
Pardon us for being rude
But can't you pick some better food?*

*Would you eat some sushi, then?
Could we agree on this? It's almost ten!*

*Tuna, shrimp, and salmon
Will spoil and we'll be poisoned.
The idea's OK but you can't win
Raw fish, in time, is not one's friend.
Pardon us for being rude
But can't you pick some better food?*

*Will you eat Ritz crackers from a box?
Could we agree on this? I've a date with a
fox!*

*We don't want crackers from a box
Not with cheese, not with lox
Our appetites your suggestion mocks
We'd be better off if we ate rocks.
Pardon us for being rude
But can't you pick some better food?*

*If I could pose a compromise
That lacks both interest and surprise.
Our lowly common denominator lies
In the original pile of pizza pies.
[Our hero collapses in a heap of sighs.]*

*That's fine.
We're hungry.
Let's go, and promise never to rhyme again.*

Meeting adjourned.



UPDATE EBB

The most up-to-date version is **3.53.0006**

If you downloaded the current version last term, just launch EBB and follow the on screen auto-update procedure.

If the update doesn't work or you need to reinstall your EBB go to the Registrar's Webpage.

Students Rock Court and Trial Competitions

By Liz Polizzi

Though we may not be quite ready to go out and save the world without our amazing oratory skills and deep scholarly insight into the finer points of federal jurisprudence, that doesn't mean it's too early to start practicing our chops. For those who just can't wait, a host of moot court competitions offer the opportunity to grapple with all the issues of the day, from sex crimes to patent infringement, while refining our Clarence Darrow imitations, relatively risk-free.

Here at home, the final round of the Campbell Moot Court Competition, slated to be held on Thursday, March 29, promises an exciting girls-against-boys head-to-head, when Jeremy Suhr and Robert Stockman take on Caitlin Bair and Jessica Berry in the case of *Dope v. Piper* (see sidebar for more details), before the Honorable Steven M. Colloton, U.S. Court of Appeals for the Eighth Circuit; the Honorable Deanell R. Tacha, Chief Judge of the U.S. Court of Appeals for the Tenth Circuit; and the Honorable Gerald B. Tjoflat, U.S. Court of Appeals for the Eleventh Circuit. Meanwhile, various Law School student groups have been sponsoring teams to compete in several major, national moot court competitions around the country.

On February 10, Outlaws sent two teams to the National Sexual Orientation Moot Court competition at UCLA Law School. The case was about a gay couple who wanted to adopt a foster child in the fictional state of New Texico. The team members were Stacy Braverman, David Brown, Anya Pavlov-Shapiro, Jennifer Carney, Jordan Long, and Ryan Taylor, all 1Ls. "As 1Ls, the experience was valuable as an exercise in research and writing for a brief, and in the elaboration of an oral argument," said Brown. "In other words, the preparation meant a lot, while the actual 'moot court' was sort of the whipped cream and cherry on top."

Also on February 10, Scott Simpson, Kyle Palazzolo, and Meghan McCall participated in the National Trial Competition. The mock trial involved a case of sexual battery. The competition was sponsored by the Texas Young Lawyers Association.

Betsey Wiegman, Josh McCaleb, and Kristen Klanow made it to the semi-final round of the Child Welfare and Adoption Moot Court, in Columbus, Ohio, on February 16-17. The competition was cosponsored by the National Association of Counsel for Children, the National Council of Juvenile and Family Court Judges, the ABA Center on Children and the Law, the American Academy of Adoption Attorneys, and the National Center for Adoption Law and Policy. The problem involved a putative father who sought to assert rights to a child who had been put up for adoption in a different state. "It was a really great experience," said Wiegman, "largely due to my fabulous teammates, Josh and Kristen, and our equally fabulous coach, Vivek Sankaran." The team also won third place for their brief.

Grappling with a lawsuit involving the hot topic of international climate change, Shane Conway, Bobby Mauger, and Heather Gott journeyed to White Plains, New York, to compete in the National Environmental Moot Court Competition on February 22-24. The team was sponsored by the Environmental Law Society.

Overspring break, Katherine Konieczny and Mary Hanna-Weir participated in the William E. McGee National Civil Rights Moot Court Competition, at the University of Minnesota Law School. The team was sponsored by the ACLU, and the problem considered the constitutionality of voluntary race-conscious school assignment plans at the primary and secondary level.

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The Case of *Dope v. Piper*

Respondent Peter Piper, having feloniously caused a disruption at the county zoo, was a federal prisoner held in pretrial detention at the Cook County Metropolitan Correctional Center ("MCC"), a private prison under contract with the United States Marshals Service. During the course of his detention, Mr. Piper contracted HIV, but despite his repeated requests for medical attention, Petitioner prison officials did not allow Mr. Piper to receive any medical treatment. Instead, Mr. Piper was placed in solitary confinement indefinitely.

For the purposes of the competition, it is to be assumed both that this allegation is truthful, and that it constitutes a violation of the Eighth Amendment.

Meanwhile, Mr. Piper's attorney, Dan DeLeon, having failed in his attempts to convince the prison warden, Penny Pincher, that his client was being deprived of constitutional rights, mounted a vigorous media campaign, wherein he exclaimed that his client was being held in solitary confinement with no marks on his disciplinary record. Mr. DeLeon left out the fact that Mr. Piper was HIV-positive.

Once the story hit the press, Molly Moeser, the United States Marshal for the District of Hutchins (who occasionally moonlights as a 3L at University of Michigan Law School), contacted both Ms. Pincher and Dylan Dope, the CEO of MCA, and threatened to cancel MCA's contract if they didn't explain their actions. Mr. Dope and Ms. Pincher thereafter held a press conference, and announced that the reason for Mr. Piper's extended solitary confinement was that he was HIV-positive.

The issues involved are, thus:

1. Can individual officers of a privately run penal institution be held liable for Eighth Amendment violations under *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971)?

2. Assuming that a *Bivens* action is appropriate against the defendants at all, can they additionally be held liable under the Fifth Amendment for violation of the right to privacy in personal medical information?



Winter 2007 LSSS Election Procedure And Candidate Statements

Greetings Law Students:

Voting for the Winter 2007 LSSS Elections will be done online. The online voting system will make the election process more efficient, more accurate, and more convenient, hopefully resulting in high voter turnout. The elections will take place on **Wednesday, March 21** and **Thursday, March 22**. During those two days, you may go online and vote at anytime starting at 12:00 a.m. on the 21st through 11:59 p.m. on the 22nd. In order to cast your vote, go to vote.www.umich.edu and enter your unique name and your password.

Voting Instructions:

1. Scroll down to the Law School Election categories and choose the category that fits your voting eligibility for the 2007-2008 school year (for example, 1Ls will click on the *LSSS / Law School Student Senate - 2L* category; 2L summer starters will click on the *LSSS / Law School Student Senate - 3L (summer-admission)* category).

2. Once the ballot is loaded onto the page, it will list all the positions for which you are eligible to vote.

3. For positions that have more than one seat available, you may vote for more than one candidate.

4. Also on the ballot is an area to nominate a professor for the L. Hart Wright Award for Excellence in Teaching.

5. When you are done, simply click the Submit button and your votes will be stored with the other voting results.

If you have any questions about the Online Voting System, you can refer to the voting site (vote.www.umich.edu), which addresses many frequently asked questions under the "Questions?" tab, or feel free to email me at worsley@umich.edu.

Maurice A. Worsley,
LSSS Elections Commissioner

President

Hadi Husain, 2L:

Hi Everyone,

My name's Hadi, and I'm running for LSSS President. LSSS is responsible for a plethora of events and issues, ranging from social to academic to day-to-day, and as President it would be my responsibility to solicit and represent your input on these topics, in addition to working to assure the successful continuation of the various committees that currently represent student priorities to the administration. My prior business experiences have required extensive teamwork and organization, and put me in a unique position to carry out the objectives of the office. It would be my privilege to serve all of you next year.

Vote Hadi!

Vice-President

Andrew Knepley, 2L:

To my beloved Law School Community,

I have served you for two years as a Board of Governors' representative. I am proud of what the Senate has accomplished during my tenure. I want to continue my service as your Vice-President for one reason: I care about building and maintaining a rich, inclusive, and productive community here at Michigan Law. Thank you for your consideration.

-Knepley

Secretary

Katherine McKeon, 1L:

Hi, my name is Katherine McKeon, and I'm currently the 1L MNOP representative. I have been active in various LSSS initiatives, among

them assisting in the organization of the Halloween party and Prom. As secretary my tasks would include taking minutes at Senate meetings, keeping the student body informed of Senate activities through wonderfully witty weekly emails, and overseeing the organization of the events put on by LSSS. I would bring enthusiasm and resourcefulness to the position, along with exceptional organizational capabilities.

Vote Katherine!

Treasurer

Adriel Sanders, 1L:

Hi, my name is Adriel Sanders and I am running for LSSS Treasurer! I am the current 1L Representative for EFGH. As a representative I have taken on numerous initiatives including dealing with facilities concerns, serving as a member of the Prom committee, and organizing the Halloween party. More relevantly, however, I served on the funding committee this year. I am really excited about the possibility of working with both the new and old organizations next year to help them secure funding, and would relish being a factor in these organizations' continued success.

So, vote Adriel for LSSS Treasurer!

3L Summer Starter Representative

Sarah Molenkamp, 2L:

It's hard to believe we're almost through
One semester left at the maize and blue

I remember back to our fabulous summer
Not seeing you everyday anymore is sorta a bummer

CONTINUED on Next Page

CONTINUED from Previous Page**2L Representative**

We had fun times at games, bars,
Dom's and 502 Thompson
Next semester we'll be back to amp
up the fun

Dear ABCD – we're nearing the end
of this race
For in a few short months the – gulp
– real world we'll face!

Now I'm asking for your support this
one last time
I'm so excited to be your rep it's
coming out in rhyme!

3L Fall Starter RepresentativeCisco C. Minthorn, 2L:

Dear Friends,

These past 2 years have been some of
the best of my life. Getting to know such
unique, interesting and accomplished
individuals as yourselves has been my
great pleasure. I am proud to have
had the chance to become friends with
many of you, to entertain you in Mr.
Wolverine, and to learn from each of
you. I now desire to represent you in
the Law School Student Senate. But,
for that to be accomplished, I will
need your help. Please vote Cisco for
3L Rep Online Wednesday 3/21 and
Thursday 3/22.

Thank you,
Cisco C. Minthorn

Larry Lipka, 2L:

As your 3L Senator I pledge to ensure
the separate but equal treatment of all
holidays and events. With this pledge
I promise that law school prom will be
scheduled with at least one rest day
before St. Patrick's Day, so as to ensure
separate but equal celebration of both.
Never again will your prom-induced
hangover keep you in bed when you
should be in line at Connor O'Neils
or prevent you from drinking that
first green beer in the morning. So
vote for me, Larry Lipka, to ensure the
constitutionality of your future social
events.

Sumeera Younis, 1L:

This past year I have had the
opportunity to be the 1L Summer Rep
on the LSSS. I have learned a great deal
about how LSSS functions and its goals.
I have had the opportunity to chair
the Technology Committee which is
working to provide free flash drives to
everyone for finals and provide loaner
laptops when yours are on the fritz.
I hope that I can use my experience
to make next year even stronger
and follow through on some of the
initiatives we started this year. Please
feel free to email me with any questions
at sumeerayounis@gmail.com.

Siddarth Nag, 1L:

So I might not know the most about
prom planning, but as my section
knows, I'm always up for advocating
on our behalf (...to professors...about
deadlines...nothing glamorous). As
2L rep, taking care of 2L concerns will
be my first priority. I hope to work on
a big issue or two (I'm good for that
sort of thing). I promise to always be
open and approachable and to listen to
your ideas, to be an inclusive rep. for
everyone, to do what I can for you, and
to have fun doing it.

Thanks guys!

Nathan Meredith, 1L:

Our first year has flown by and even
though it has been an unforgettable
experience, the second year has the
potential to be even better. If elected, I
will fight for off-campus lunch for the
juniors and new pop machines in the
senior lounge. All joking aside, isn't
law school already enough like high
school without the added drama of
too few Halloween Party tickets and
Prom the night before St. Patrick's
Day? Vote Nathan Meredith for 2L
Representative and I will listen to and
promote your ideas to make our 2L year
great. Email me any time at nathandm@umich.edu.

Tony C. Jones, 1L:

My name is Tony C. Jones and
I am vying for the opportunity to
serve you as 2L Senator. This year,
I have developed a genuine love for
this law school. Through student
group activities, I've developed an
even stronger affinity for our class. In
undergrad, I served as Freshman and
Sophomore Class President, and on the
executive board of the SGA. As your
representative, I will apply the tools of
service I have developed over the years.
Most importantly, I will proudly and
zealously represent the "Oh So Fine"
Class of 09' as your 2L Senator!

Sarah Gleich, 1L:

My name is Sarah Gleich and I
am the current Law School Student
Senate representative for IJKL. I am
seeking a seat as a 2L rep on next
year's Senate. As a senator this year I
have been involved in approving and
funding student groups and making
suggestions to the administration about
student needs. I was actively involved
in planning social events such as bar
nights and have helped coordinate the
prom. I would love to continue to serve
the student body next year as one of the
2L representatives.

Whitney Barkley, 1L:

**VOTE WHITNEY BARKLEY FOR 2L
REPRESENTATIVE**



WHY?

Because the University of Michigan
Law School Student Senate needs a
progressive, southern, former beauty
queen whose life dream is to record
casebooks on tape.





ABA Concludes Visit

By Ishai Mooreville

All officially accredited law schools in this country get a visit every seven years from the American Bar Association to make sure each of them is performing up to its accredited status. This past week, from March 11 to 14, it was the University of Michigan Law School's turn to get some external evaluation from ABA Staff Members.

Though the Law School's accreditation is in no serious doubt, the purpose of the visit is to ensure that everything is running smoothly and that students are indeed receiving a legal education inside Hutchins Hall. Last week the ABA team sat in on classes, met with students, and spoke with faculty and other administrators to evaluate the Law School.

"They are here to be able to describe the school's operations to a larger accreditation committee, who will evaluate the school according to nationally promulgated standards," said Associate Dean for Academic Affairs Kyle Logue.

The site-visit team is made up of current lawyers, judges, law school deans, and professors. Part of the rationale for visiting every ABA law school once every seven years is to guarantee that every law school is treated fairly during the accreditation process. So, if a particular school's accreditation is challenged, or even removed, there can be no charges of bias against the ABA.

"The purpose of the site visit is not to assess the performance of the school, but rather to develop a comprehensive report that is then shared with the accreditation committee for it to review according to the standards," said Logue.

So what is the site-visit team actually looking for? They're looking to see if

the Law School is continuing to meet certain pre-defined standards to which all accredited law schools must adhere. They want to know, for example, whether the curriculum includes certain courses, whether the students are actually attending class, and whether basic teaching standards are being met.

According to the ABA website, the site visit team even looks at a few students' final exams and grades to make sure everything is on par.

Only two law schools in the nation are currently on probation for failing to meet ABA standards: Whittier Law School in Costa Mesa, CA, and Golden Gate University School of Law in San Francisco. The most recent additions to the accredited club were the University of St. Thomas in 2003 and Ave Maria Law School (formerly located in Ann Arbor) in 2002.

While the ABA Team is not responsible for making formal recommendations of improvement to the schools they review (and ultimately their final report is confidential), they have informally advised Michigan on areas where the Law School could improve, such as having more regularly scheduled classes on Friday and improving its class offerings in professional responsibility.

Now that the ABA staff visit is complete, those who toured Michigan will issue a report to the formal accreditation committee of the ABA, who will make their final decision in the next few months on whether the Law School will maintain its accreditation. But students shouldn't worry too much about the value of their future degrees: Michigan has been accredited since 1923, when the whole ABA accreditation system began. Barring some unfathomable decline, Michigan Law will certainly retain its status.



HONOR, From Page 1

of Pennsylvania Law School, ExamSoft allows only word processing during exams — the equivalent of 'blocked' exams here at Michigan — so as not to discriminate against those writing by hand. "Because of the nature of the exam rooms," says Associate Dean for Student Affairs Gary Clinton, "there is a strong self-policing effect." Both schools ultimately rely on the honor code, however, since proctors are only in the room when exams begin and end.

Still other schools appear to rely wholly on student integrity. The University of Virginia Law School, for example, does not block Internet access during exams at all, and directions on every exam explain that Internet use is forbidden unless specifically authorized by the professor.

Stanford Law does not even use exam software — students who use laptops can choose Word or WordPerfect, Mac or PC. Students are permitted to access neither the Internet, nor their hard drives, such that any sources they use must be in hard copy. Stanford does turn off wireless during exams, but it too has seen an increase in bleeding. However, as Catherine Glaze, Associate Dean for Student Affairs, succinctly put it, "We don't use exam software and rely on the honor code to deal with that."

When compared to these examples, Dean Logue's prediction that most professors will choose to block exams, assuming the 'temptation' to 'cheat' will be too great to resist, seems to imply that the faculty and administration do not trust or expect law students to be honorable for honor's sake, at least not as wholeheartedly as other law schools do.

One recent event lends credence to those doubting the faculty and administration's confidence in students' integrity. Professor Reuven Avi-Yonah's Transnational Law exam last fall had an essay question about *Hamdan v. Rumsfeld*, a case too recent to be included in the coursepack, but available via the course's TWEN site. Its posting was advertised only in class, but Professor Avi-Yonah covered the case at length. On

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the exam, this was the perfect chance for those who had attended class regularly to distinguish themselves from those who had not.

During the exam, the administration acknowledges, a significant number of students did violate the rules by accessing the Internet — some to find the full *Hamdan* case, some to find synopses, others still to find short analyses, like those available in online encyclopedias. Pursuant to the Rules of Conduct, several students brought the matter to Dean Baum's attention. He discussed the matter with Dean Logue and Professor Avi-Yonah, and Professor Avi-Yonah decided, pursuant to that consultation, to exclude the *Hamdan* question entirely from his grading of exams, basing students' grades on the two other sections of the exam. This information was not broadcast to the entire class, but discussed only with those students who followed up on the issue to find out how it had been resolved.

Ostensibly, this solution mitigated the potential unfairness created when some students sought information from the Internet in response to the exam question. But what of those who had come to class and had no need to cheat? Some students who knew of the case and Professor Avi-Yonah's views on it understandably worked harder on that question than on others, believing they had a competitive advantage in answering it, and one that would go a long way, given that a third of the weight of points in the exam depended on one's answer to that question.

The administration's approach to the problem raises a few questions. First: Why this of all solutions? As a matter of basic criminal law, it accomplishes neither retribution nor deterrence. Cheaters are rewarded by having relatively more weight put on the parts of the test for which they were prepared, and non-cheaters are punished by exclusion of the question that would have allowed them to stand out. And the message sent to the student body is that if enough people violate the rules, knowingly or

Ask Miss Sandra D.

Dear Sandra D.,

I feel like the dumbest person at law school. Am I going to be miserable for my whole career if I am unhappy here?

-Afraid I made the wrong decision.

Dear Afraid,

I am sure you have heard it before, but law school is hard. Not just for you, but for everyone. There will always be many challenges within the law school environment, whether they be annoying classmates or uncooperative professors; so when it gets completely unbearable, think of law school as a stepping stone. Think about what makes you happy and how you can work in that area with a law degree. There are many more career options than working in a firm or at the public defender's office. Browse through our faculty profiles and see if anyone shares your interests and try to set up a meeting with anyone who does. Having a good mentor can really make law school easier and help you through the tough times. And, if nothing else, know that you are not alone, we all feel like that sometimes.

-Sandra

Dear Sandra D.,

My boyfriend and I have been together for three years, but I find myself falling for an old undergraduate friend. He has been giving me lots of attention and has even come all the way to Ann Arbor to visit me. I miss having someone care about me in that way and think I am falling in love with him. I'm not sure right now is the right time to get in a serious relationship, though.

-In Love and Confused

Dear Confused,

Think hard about why you want to go from one relationship to another. Is it just for a temporary fix? Are there things in your current relationship that might be suffering but can be improved, or do



you sincerely feel nothing there can be salvaged? We all have heard that the grass looks greener on the other side, and that is especially true when it comes to relationships. Also, I always recommend taking a break between relationships; jumping from one person to another can create a bad pattern for your life. Whatever you do, keep in mind that three people's hearts are involved right now: tread carefully.

-Sandra

Dear Sandra D.,

Is Britney going to be OK?

-Worried

Dear Worried,

Recent pictures have shown her playing tennis in rehab, smiling, and looking a little bit like the old Brit we knew and ... loved to hate. She's taken some steps in the right direction, and I'm sure if she stays committed, we'll get that comeback she promised us. I don't know about you, but I'm still crossing my fingers for a Britney and Justin reunion!

-Sandra





In My Opinion: A Guest Op-Ed

Michigan Law Review, How Do I Love Thee?

Submitted by
Leigh Wasserstrom

As I mingled at the admitted student bar night (see, MLRers are not perpetually trapped on Sub-3!), prospective students repeatedly asked me to describe my favorite thing about law school. I admit that my first instinct was to laugh and advise them to re-think law school if their goal was to do something enjoyable. But in all seriousness, I told anyone willing to listen what a tremendous experience working on the Michigan Law Review has been.

Professionally, the benefits are immense. Cite-checking scholarly work — albeit tedious — has improved not just my blue-booking skills but also my ability to distill and evaluate complex arguments. And the note-writing process has been an opportunity to hone my research and writing skills under the guidance of my peers. It has been a pleasure to work with the entire Notes Office as I pursue publication. (Full disclosure: I currently serve as a Note Editor.)

As a member of the Editorial Board, I have the unique opportunity to shape the direction of a premier legal journal. The articles, notes, and comments we publish are entirely student-selected and student-edited (and some are student-written as well); in no other discipline are students given the opportunity to impact the field so profoundly.

But in some ways, the professional benefits have been less satisfying than the other, less tangible rewards. At our first orientation meeting, Dean Caminker assured the new Associate Editors that the Law Review would be the ultimate date hook-up. Although this prognostication has proven less than prescient (at least in

my case), his insistence that the feeling of community would be very satisfying, particularly in moments when the work seemed most uninteresting, has been absolutely accurate.

A sense of community pervades every aspect of the Law Review experience. The Law Review is a microcosm of the Law School itself. Our members have a wide array of perspectives, life experiences, and career aspirations. A shared purpose brings us together — dedication to the journal and to the advancement of legal scholarship. Some of the most interesting conversations I have had in law school have been in the Law Review offices. And I have made some great friendships in my afternoons on Sub-3.

Contrary to popular belief, Law Review members like to socialize, too. And there is no party at the Law School like a Law Review party. Seriously! Okay, not really. But, the Law Review Joy Tyrants (our social chairs) are always organizing delightful soirees: bar nights, IM sporting events, and holiday gatherings. On Wednesday mornings, they bring us donuts. We like to work hard, but we also know how to have a good time and enjoy delicious treats.

In sum, the Law Review may not get you dates, and our social committee has a pretentious name derived from a Jeremy Bentham quote (why must we take ourselves so seriously?), but working on the Law Review will make you a better law student and, ultimately, a better lawyer. It is a fantastic opportunity to be part of a dynamic, intellectual, and dedicated community.

HONOR, from Page 7

unknowingly, the administration will elect to do nothing.

But more disturbingly, why didn't the administration even attempt to ask those who used the Internet to step forward? Most likely, not all students intended to break the rules, and had either forgotten them, or assumed that, because they found themselves technically able to access the Internet, Professor Avi-Yonah had specifically requested that they be permitted to do so. Asking students to step forward would have allowed these people to explain themselves, with presumably reduced punishment. Do the administration and faculty have such little faith in us that they not only expect us to break the rules, but further expect that once asked to own up to having broken them, we won't? Such a lack of faith can be, as any parent can attest, a self-fulfilling prophecy.

Does our Law School trust its students less than other schools trust theirs? Unlike all the other schools contacted for this article, our proctors are present for every minute of an exam. True, this offers a luxury, in that when we find an error on an exam, we can report it to a proctor, who can set the wheels in motion to procure additional instructions from the professor. But insofar as the proctors are there to prevent cheating, it seems that the administration sees them as necessary, but not sufficient. As Dean Logue explained, "[T]he presence of proctors might not be enough for some faculty members."

Maybe trust from the enforcer requires a credible threat of actual enforcement. Of course, if more professors block exams in the future for fear of cheating, and violations of rules on unblocked exams continue to generate responses in the fashion described above, we'll never know. Wireless bleeding offers an opportunity to reflect on what the honor code means here; let's hope the faculty and administration consider carefully the messages their actions, conspicuous or covert, convey to the students and the Law School community.



Open Letter:

Build Green for a Better Law School

Dear Members of the Law School Building Committee;

We write on behalf of the Pro Bono Committee of the Environmental Law Society, a group of Michigan law students interested in issues of environmental law and sustainability, and eager to apply our time and skills to contributing to such efforts wherever we can. We were excited to learn that the Law School's plans for new construction have taken a new direction, and would like, in the early stages of the concept and design process, to raise the issue of green building and sustainable design.

Sustainable building is rapidly gaining momentum in the architectural and construction communities. And for good reason; building green is cost effective, attractive, and speaks volumes about an institution's commitment to the world outside its walls, from our immediate surrounds in Ann Arbor, already considered one of the most progressive cities in America, to the State of Michigan, whose current economic woes fostered a new energy plan this year, which calls for utilities to provide 10 percent of the state's energy needs to be supplied from renewable energy resources by 2015, to the corners of the nation this law school seeks to serve.

As you take your seats on one of the most important committees in the Law School, you face a great challenge: How to effectively use a limited amount of space to create an environment that is both respectful and complimentary to the inspiring architecture that has won this Law School such renown, while at the same time ushering in something new and vibrant that is also, ultimately, an enjoyable place to live, work, and study. Green building is both progressive, in that it incorporates new technologies like low-energy LED lighting, and solar power generation, and traditional, utilizing natural materials, recycling of construction waste, and daylighting and ventilation schemes that utilize ambient heat, light,

and air, to create a comfortable interior environment that is at harmony with the natural one. The effect, in essence, has the potential to successfully create indoor work/study space that feels like being in the Quad on a warm autumn day – and nobody who's been there could argue that an indoor environment like that would increase productivity down the line, from devoted dean to overworked 1L.

In short, green building

- Saves money. 98% of a building's costs are in its operation – good upfront design can dramatically reduce these costs.
- Is a great way to set the Law School apart. The School of Natural Resources and Environment recently "greened" the Dana Building, a 1903 academic building that now serves as SNRE's central laboratory and educational center, winning "gold" Leadership in Energy and Environmental Design (LEED) certification from the United States Green Building Council in the process, and making headlines throughout the building and academic worlds.
- Offers innumerable public relations benefits. A green building will showcase what the Law School stands for and serve as an important recruiting tool for faculty, students, and potential donors.

Notably, several of our peer institutions have already caught on to what will likely be the future of new construction in America.

- Boalt Hall, in its Request For Proposals (RFP) for new building plans, detailed that plans must meet the UC requirements for green building, which include LEED certification of all new buildings.

- The Ross School of Business, after significant student and faculty input, has made significant design changes for its new buildings so that it can meet the requirements for LEED certification.

- Duke University has made sustainability one of the key ways it differentiates itself from its competitors; every new campus building must meet sustainable design

guidelines, with the stated goal of achieving LEED certification for all new structures.

And, of course, green building is great for the environment. Buildings are the number-one consumer of energy in the United States – and that energy is the number-one source of greenhouse gas emissions. With climate change looming, and given the social and political climate of Ann Arbor, it would seem almost regressive to build a brand new structure using conventional technologies and materials – like littering, or smoking indoors, it was only understandable before we knew better. Consequently, we believe strongly that as plans for "completing the Quad" move forward, the building committee, and indeed the Law School, should focus on sustainability as a key design benchmark, perhaps using LEED standards as a starting point, as Dana, Boalt, and Duke have done.

At the 1925 dedication of the Law Quad, then-Dean of the Law School Henry M. Bates opined that law is "a plan of life, reaching down into every phase of human existence." The new addition to the Law School's landscape should similarly integrate the modern and traditional humanistic foundations of Michigan Law School, making them part of the built environment as well as the academic and professional one.

Sincerely,

Lara Dumond

Stephen Oertle

Liz Polizzi

Mark Shahinian



Passover Seders for Students - April 2 and 3

Hillel

8:45 p.m. both nights; \$15 per student

RSVP by March 22

769-0500 or www.umhillel.org

Kosher meals also available all week,

RSVP required

Chabad House

8:15 p.m. both nights

\$13 per student

RSVP to 995-3276 or at

<http://www.jewmich.com/passover.htm>

Grad Student Seder,

April 3

Home of Hillel Director Joel

Marcovitch

RSVP to jjmarco@umich.edu

We Bid Hard for the Money...

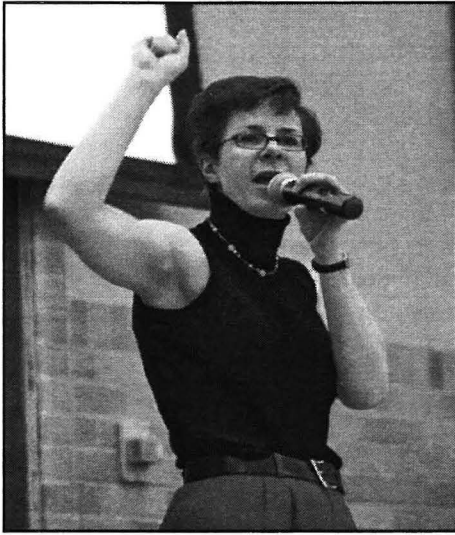


Photo by Gregory Fox, *Law Quadrangle Notes*



Photo by Katherine McKeon

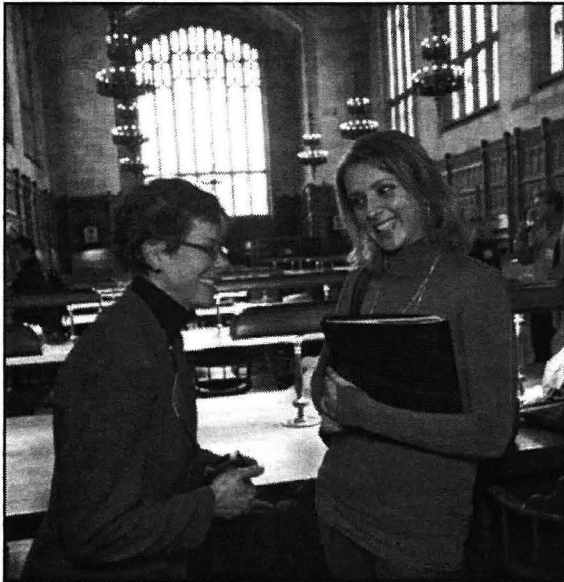


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Photo by Katherine McKeon

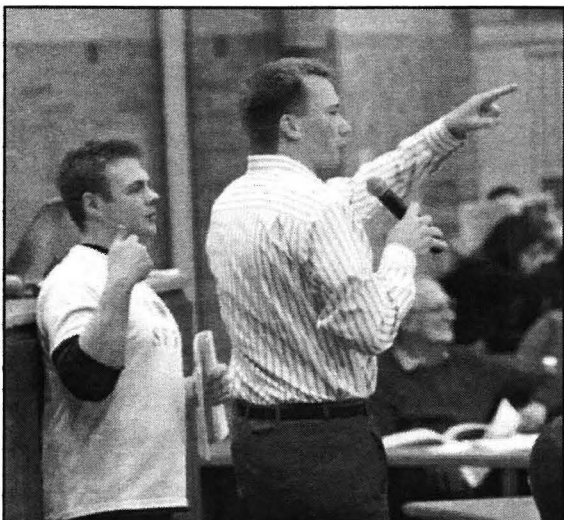


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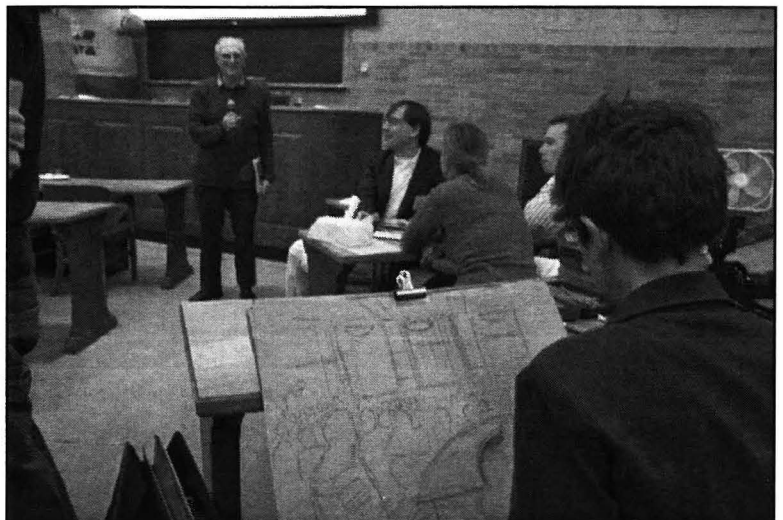


Photo by Gregory Fox, *Law Quadrangle Notes*

SFF Works Hard for it, Honey



Photo by Katherine McKeon

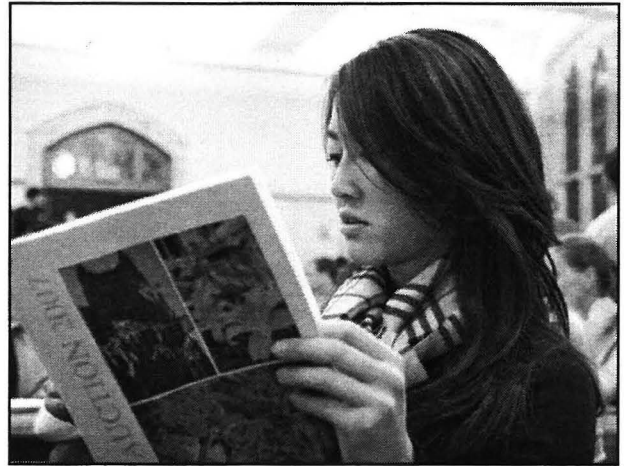


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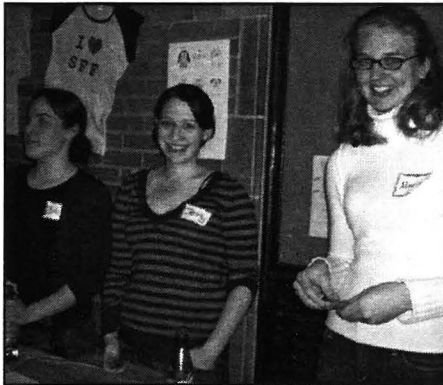


Photo by Katherine McKeon

The Student Funded Fellowship raised \$23,150 at its annual live auction and an additional \$20,900 from the silent auction. Alumni and firms sponsoring the event donated an additional \$18,300, bringing the evening's total to a whopping \$62,350!

The priciest item sold was brunch for 8 with Profs. Katz and Halberstam, which fetched \$1,650 at the live auction. In keeping with the excitement of years-past, the auction took a zany turn when bidding for a game of whirlyball with Professors Primus, Brensike, Thomas, and Sankaran ended with a marriage proposal.

Thanks to the continuing generosity of the Law School Community, the SFF Board has already awarded grants of \$3,250 to 60 students, and hopes to award additional grants during the remainder of the semester.

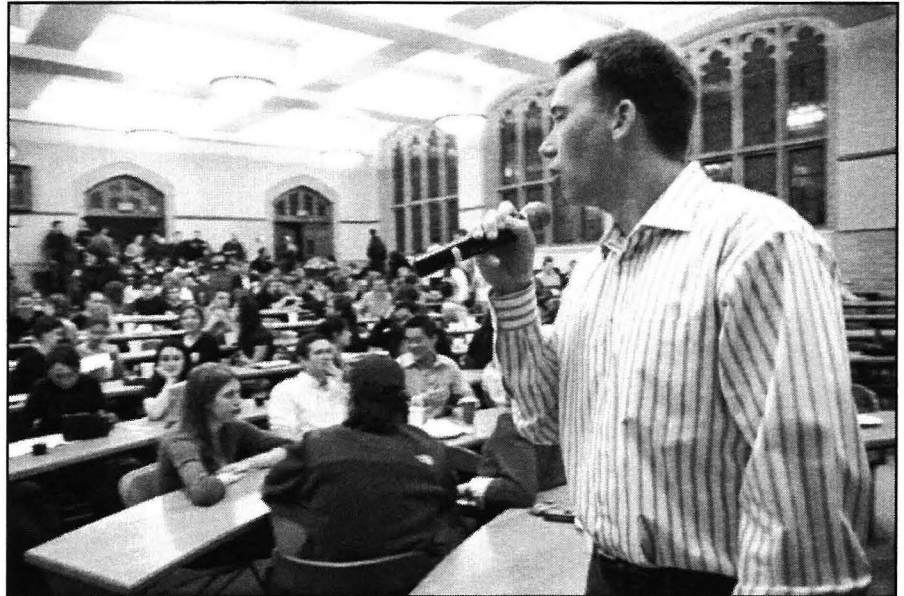


Photo by Gregory Fox, Law Quadrangle Notes



Photo by Gregory Fox, Law Quadrangle Notes



Spring/Summer and Fall 2007 Registration and Drop/Add Calendar

► **Early Registration Period uses the Law School's Priority Registration System (PRS) to temporarily reserve law classes**

Round One for selecting seminars, practice/simulation courses, and clinics:

Begins Monday, April 2 at 8:00 AM

Ends Friday, April 6 at 5:00 PM

- **Round One results e-mailed to students on Friday, April 13.**

Round Two for selecting upper-class courses. Students can select **open** seminars, practice/simulation courses, and clinics and/or add their name to the bottom of a waitlist for **closed** seminars, practice/simulation courses, and clinics:

Begins Monday, April 16 at 8:00 AM

Ends Friday, April 20 at 5:00 PM

- **Round Two results e-mailed to students on Friday, May 4.**

Students must have financial holds removed by: Monday, April 23

- If you have a financial hold (a negative service indicator) on your student record when the PRS data is loaded into M-Pathways, your **temporarily** reserved law classes will **not** load, your class schedule will bounce out, and you will **not** be "officially" enrolled at the Law School or University!
- After your financial obligation is paid and the hold removed, you will have to create a class schedule via Wolverine Access with whatever open law classes are available at the time. Contacting the professor to obtain a seat in a closed law class is **not** an option!

► **Drop/Add Period uses the University's Wolverine Access System**

- Law appointments begin Monday, May 21 @ 8:00 AM and end Wednesday, September 12 @ 5:00 PM.

Spring/Summer and Fall 2007:

Drop/Add begins Monday, May 21 at 8:00 AM

Students can add their name to the bottom of a waitlist for **open** or **closed** seminars, practice/simulation courses, and clinics through Monday, September 3. Starting Tuesday, September 4, students will have to e-mail Amy Bishop (albishop@umich.edu) to have their name added to the bottom of a waitlist.

Spring/Summer 2007:

Drop/Add ends Monday, May 21 at 5:00 PM (*only ONE DAY!*)

Fall 2007:

Waitlist Drop/Add begins Tuesday, September 4 at 8:00 AM

Starting Tuesday, September 4, permission codes will be entered each morning for seminars, practice/simulation courses, and clinics that meet *that* afternoon. Permission codes for Prof Pick (footnote #9) for seminars, practice/simulation courses, and clinics will be entered as received.

Fall 2007:

ALL Drop/Add activity ends Wednesday, September 12 at 5:00 PM

As always, we will be available for questions during business hours in Room 300 Hutchins Hall or you can contact us by email at lawrecords@umich.edu.



Friday, March 16 was: *Prom 007th*

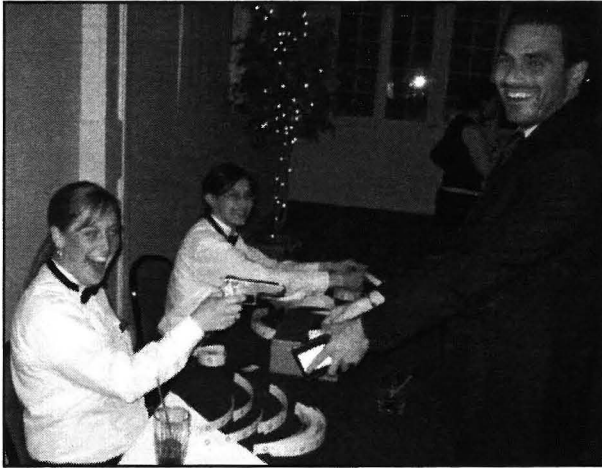


Photo by Sanjay Kotte



Photo by Katherine McKeon

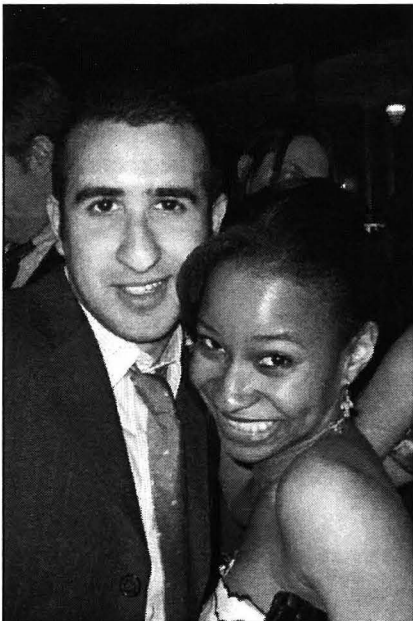


Photo by Sarah Molenkamp



Photo by Sanjay Kotte

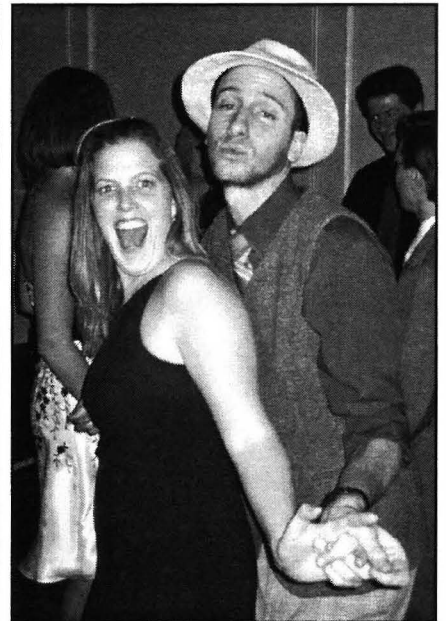


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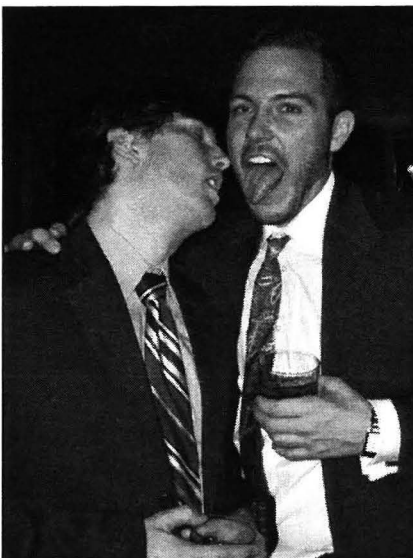


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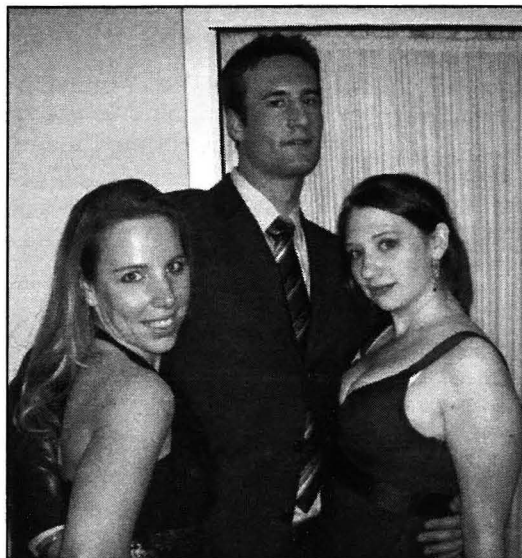


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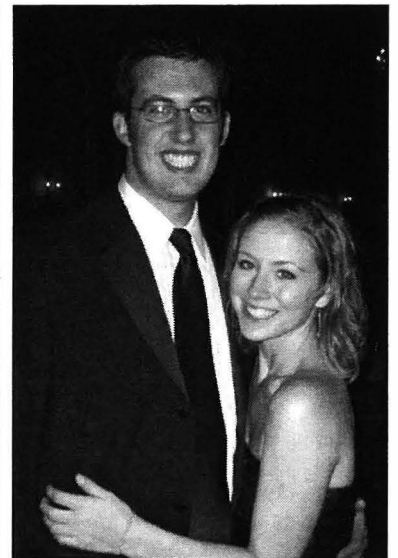


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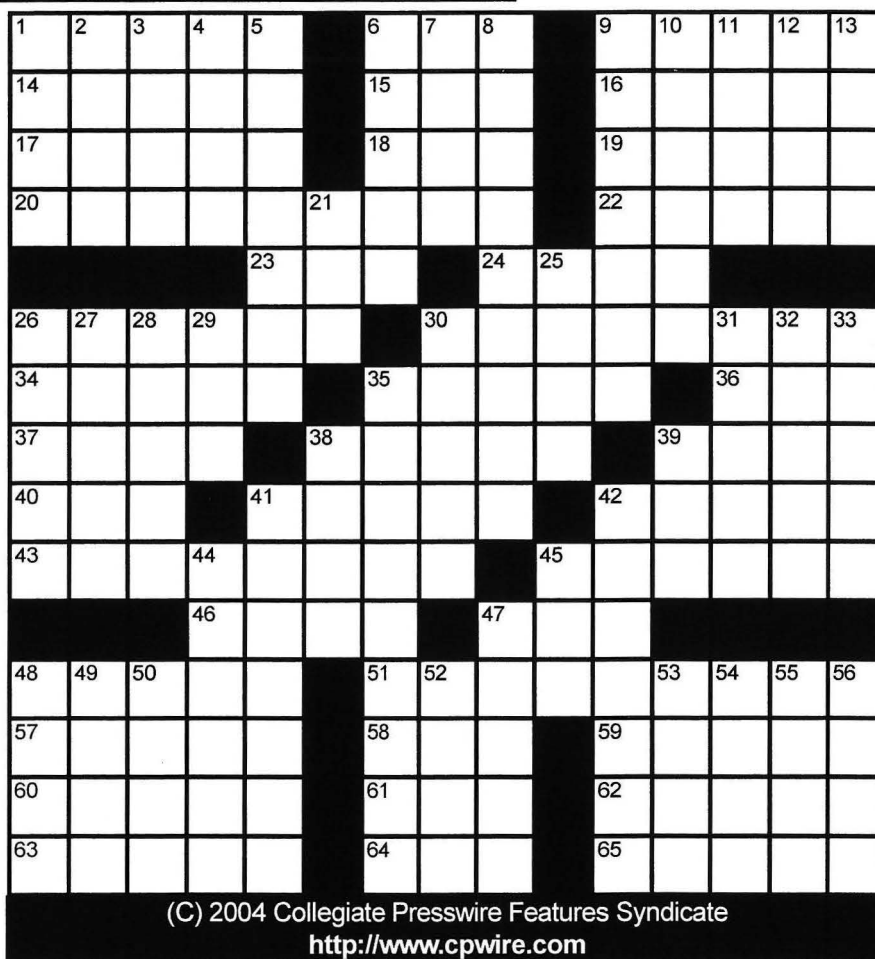
PUZZLE

ACROSS

1. Bring water to this
6. South Orange, NJ college
9. Cupid's projectile
14. Earth
15. Total commandments
16. Whinny
17. Made of oats
18. Pacific NW state
19. Monastery
20. Move cautiously
22. Subterfuges
23. Help
24. Pawn
26. Go to sleep
30. Calculated
34. Invalidate
35. Strides
36. 100 square meters
37. Inhabitant of #19 Across
38. Ear or Panama. e.g.
39. "Out, damn ____!"
40. Fall mo.
41. Actor Flynn
42. Idaho city
43. Acidic volcanic rock
45. Roam
46. Red gem
47. Answer sheet
48. God's
51. Allied goods transfer
57. Raccoon-like animal
58. Wrath
59. Golf score
60. Social prohibition
61. Nothing
62. Involving a certain space
63. Serious
64. Electric fish
65. Hound lips

DOWN

1. Not under
2. Suitor
3. Scraps
4. Angers
5. Canon firing cord
6. Endured
7. Submarine sandwich
8. Immoral
9. Practice anarchy
10. Admonish
11. Baby back, e.g.
12. Arch type
13. Causes
21. Yuck!
25. General Motors brand
26. Hearsay
27. Period
28. Twenty minus "w"
29. Writing liquid
30. Boat
31. Fast
32. Irregularly notched
33. Discourage
35. Political group's policy
38. Home
39. Male child
41. Evasion
42. Herb
44. Public speaker
45. Marry
47. Toll
48. Play sections
49. Tug or love follower
50. Talking pig
52. Pennsylvania city
53. Nobleman
54. *A Death in the Family* author
55. "Cole" follower
56. Two of #64 across



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MOOT, from Page 3

Representing the Intellectual Property Students Association, Keeley Vega, Tom Rooney, Liz Stameshkin, and Rebecca Cantor went to Chicago to compete in the Giles Sutherland Rich Moot Court Competition on March 16-18. The problem dealt with a patent and copyright infringement case.

In addition to the competitions that have already transpired, the Entertainment Media and Arts Law Students Association and the American Constitution Society are both sponsoring teams in competitions at the end of March.

Michael McGovern and Tim Caballero, advised by Professor Jessica Litman, will compete in the BMI / Cardozo Moot Court Competition at Cardozo Law School in New York, on March 22-25, sponsored by EMALSA. The problem is loosely based on the copyright and trademark issues surrounding GoogleBooks.

Finally, on March 31, 1Ls Leslie J. Onan and Ron Spinner, and 3Ls Kelvin M. Lawrence and Tom Ferrone, will head out to New York to compete in the Constance Baker Motley National Moot Court Competition. The problem includes two parts, the first considering whether a newspaper can be enjoined from publishing the details of a secret intelligence collection program run by the NSA, and the second contemplating whether the government can constitutionally prosecute a newspaper under the Espionage Act for publishing such details.

**Continued from Back Page**

4:30-6:30 PM in the Lawyers Club Lounge.

WEDNESDAY, MARCH 28**Mandatory Meeting for New Law School Leaders**

Congratulations on your newly elected leadership position! Please attend what is a mandatory meeting for newly elected leaders who will assume responsibility for fundraising, alumni outreach initiatives, and social events. New funding proposal requirements for student groups, financial incentives to grow the capacity of your organization, and modifications to the alcohol policy will be discussed. Christine Young-Kyung Hahn, Annual Giving Officer, will also provide information about how the Law School Development Office can support student groups' efforts to obtain law firm event co-sponsorship and facilitate opportunities to connect with alumni. Lunch will be served. Please RSVP to Mark Gebhart (mgebhart) 12:00-1:15 p.m. in 132 HH.

THURSDAY, MARCH 29**Campbell Moot Court Finals**

Come watch this year's Campbell finalists, Caitlin Bair, Jessica Berry, Jeremy Suhr, and Robert Stockman, duke it out over the constitutional duties of private prison guards and and HIV-positive prisoner's right to privacy. Final arguments will take place at 4:00 PM in 100 HH, before three federal judges who have yet to be announced.

FRIDAY, MARCH 30**American Indian Law Day (NALSA)**

This year will focus on genetics, medical ethics, and research on Native populations. Legal counsel for the Havaisupai Tribe will be presenting on their current case against Arizona State University for misuse of tribal blood samples, and we'll end with a panel discussion on Institutional Review Boards. The event is free and open to the public. 1:30pm-4:00pm in Room 250. The program will be followed by a reception and dinner at

6:00pm. (Student price will likely be \$10).

SUNDAY, APRIL 1**WLSA's Race Ipsa Loquitur**

5K Charity Run/ Walk to Benefit Ozone House. Starts 10 AM in Nichols Arboretum. Both Law Students and non-Law Students welcome to participate. For registration forms, contact Metta Dwyer: msmeed@umich.edu.

WEDNESDAY, APRIL 4**"A Career in Government : Why You Want It and How to Get It"**

PIPS Professor Sally Katzen, former deputy director of the Office of Management and Budget, will describe why government work is so rewarding, how it differs from private practice, and how to go about getting a job with the government. 12:30 in 138HH.



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Law School Events

MONDAY, MARCH 19

Jerome Ringo

Jerome Ringo, President of the Apollo Alliance and Board Chair of the National Wildlife Federation, will speak as part of Prof. Van Putten's environmental law class. All students are welcome. 2:30 in Room 150HH.

THURSDAY, MARCH 22

Fellowship Series:

Skadden Fellowship

Susan Butler Plum, the founding director of the Skadden Fellowship Program, will speak about the fellowship and the application process, and will answer questions about the program. Look at the Skadden Fellowship booklet in room 210 HH before you attend this session. 12:20 - 1:20 PM, HH 138. Pizza and soft drinks will be served. Sign up to talk individually with Ms. Butler Plum after the talk. Sign-up sheets will be posted on the OPS board outside HH 217.

THURSDAY, MARCH 22

"Populists in Action: Progressive Politics & Scholarship on Ballot Initiatives" (ACS)

Come join the American Constitution Society for a series of panels featuring academics, political activists, and policy experts discussing ballot initiatives. The keynote speaker will discuss the role of ballot initiatives in progressive politics, 12:20-1:20, in 218 HH. Then professors will discuss the scholarship on Direct Democracy, 1:30-2:25, in 116 HHH. The final panel will feature political leaders commenting on the role ballot initiatives have played in Michigan politics, 2:35-3:30, 138 HH. We'll finish with a reception for all attendees. 4:00-5:30, 150 HH.

THURSDAY, MARCH 22

Origins Cultural Show (APALSA)

The Asian Pacific American Law Students Association presents the third annual Origins Cultural Show. Acts include Hawaiian and Indian dances, Sam Zun on cello, a Pan-Asian fashion show, and the finals of our first annual karaoke contest! \$10 in advance, \$12 at the door. Tickets on sale all this week at lunch in front of 100 HH. For more information, email origins2007@umich.edu or visit <http://students.law.umich.edu/apalsa/origins>. 7:30 PM in the Lydia Mendelssohn Theatre.

THURSDAY, MARCH 22

Fellowship Series: Fellowship Panel

Meet with Jennifer Tschirch (Equal Justice Works) and Julia Ernst (an alum and director of the Georgetown Women Law and Public Policy Fellowship Program) to learn about their fellowships, receive tips on applying, and ask questions. 1:00 - 3:00 PM, 132 HH.

FRIDAY, MARCH 23

Coffee Hour with Julia Ernst (OPS and WLSA)

Join OPS and WLSA for a coffee hour with Julia Ernst, Executive Director of the Women's Law and Public Policy Fellowship Program at the Georgetown University Law Center. Julia will discuss her career and take questions related to Women/Gender Law and Reproductive Health Law. 3:00 - 4:00 PM, 242 HH.

Inspiring Paths Series; Benny Widoyo - Former UN Special Adviser

Please join the OPS in welcoming Benny Widoyo, Former Special

Adviser to the UN Ambassador of Indonesia and Cambodia. Anyone entertaining the possibility of a career in international economic development or international diplomacy will get a lot of useful insight into those worlds. Pizza and soft drinks will be served. 12:20 PM - 1:20 PM, 250 HH.

SATURDAY, MARCH 24

Alden J. "Butch" Carpenter Scholarship Banquet

The BLSA will be awarding \$35,000 in scholarships to three 1L BLSA members who have shown a commitment to developing the urban community. The keynote speaker will be Dan Varner, '94, co-founder of Think Detroit. The reception will take place at the Four Points Sheraton, Ann Arbor, 6:30-10:00 PM.

Amazin' Blue "20 years young..."
Come and join one of U of M's premier co-ed a cappella groups as they celebrate their twentieth birthday, in a concert that promises to be spectacular. They sing pop, rock, even a little bit of jazz, and this year for the first time in recent history include a representative from our own law school! Student tickets are \$5 and available at the door or from Fiona Linn (LL.M. student). 8pm in Rackham Auditorium.

THURSDAY, MARCH 22

Come Meet the Journals

The journal community at the law school will gather for the All Journal Open House. We welcome all first-year law students and joint degree students interested in applying for membership this spring. Current members of each journal will be on hand to answer questions about the journal experience and the application process.

CONTINUED on Page 15